



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vogels et al.

Serial No.: 09/332,803

Filed: June 14, 1999

For: PACKAGING SYSTEMS FOR  
HUMAN RECOMBINANT ADENOVIRUS  
TO BE USED IN GENE THERAPY

Confirmation No.:

Examiner: D. Guzo, Ph.D.

Group Art Unit: 1636

Attorney Docket No.: 2578-4075US

## CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Apr 20, 2004

Date

Signature

Betty Vowles

Name (Type/Print)

Declaration

Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Dr. Ronald Hendrik Peter Brus, declare that I am the President and Chief Executive Officer of Crucell Holland, B.V., successor in interest to IntroGene B. V. ("IntroGene"), and declare that:

1. I am informed and believe that IntroGene is the named assignee of U.S. patent application serial no. 09/332,803.
2. I am informed and believe that IntroGene made a deposit of a cell line of PGK-E1-Retinoblasts, known as PER.C6, under number ECACC 96022940 under the provisions of the

Serial No. 09/332,803

Budapest Treaty with the Centre for Applied Microbiology and Research Authority (European Collection of Animal Cell Cultures), Porton Down, Salisbury, Wiltshire SP4, OJG, United Kingdom, an International Depository Authority, in accordance with the Budapest Treaty.

3. I am informed and believe that the cell line known as PER.C6, ECACC deposit number 96022940, is the same biological material described in U.S. patent application serial no. 09/332,803.

4. On behalf of IntroGene, I state that all restrictions upon public access to the deposit (except those permitted by 37 C.F.R. § 1.808(b)) will be irrevocably removed upon the grant of a U.S. patent on this U.S. patent application, and the deposit will be replaced if viable samples cannot be dispensed by the depository.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize the validity of the patent.

Date: 14-04-04  
Dr. Ronald Hendrik Peter Brus